

2638 '99 SEP 14 P1:45

September 11, 1999

FDA/Dockets Management Branch (HFA-305)
Docket No. 98N-1230
5630 Fishers Lane, rm. 1061
Rockville, MD 20852

Re: Egg Safety Action Plan; Public Meeting
Docket No. 98N-1230
64 Fed.Reg. 44195 (August 13, 1999)

On behalf of the Center for Science in the Public Interest (CSPI) and the following members of the Safe Food Coalition: Consumer Federation of America and Government Accountability Project, we appreciate this opportunity to provide comments on the Egg Safety Action Plan under development by the President's Council on Food Safety (the Council). CSPI is a nonprofit consumer group with over one million members that focuses primarily on nutrition and food-safety issues. The Safe Food Coalition is an informal group of consumer, public health, whistle blower, senior citizen, and labor organizations. It seeks to educate the public about the hazards of foodborne illness and seeks congressional and administrative action to improve meat, poultry, egg, and seafood inspection.

The Council has described its draft overarching goal for egg safety as follows:

"To eliminate the incidence of [*Salmonella enteritidis*] illnesses associated with the consumption of shell eggs and egg products. The Egg Safety Action Plan has set an interim goal of a 50% reduction in SE illnesses by 2005"

That goal is not nearly ambitious enough. With a comprehensive, focused effort, the problem of *Salmonella enteritidis* (SE) contamination in shell eggs that reach the consumer -- though a serious threat to public health -- can be solved quickly using tools that are already

available to both government regulators and the egg industry. There is no reason why consumers should have to settle for a 50% reduction in illnesses by 2005. Instead, the federal government should work toward the goal of full elimination of egg-related SE illnesses by that year.

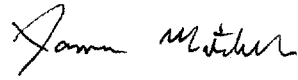
At the August 26, 1999 public meeting on egg safety, Food and Drug Administration Commissioner Jane Henney characterized the draft egg-safety plan as being on a "fast track." The sad truth is that the federal government's response to the SE problem has been anything but "fast." In the many years since 1989, when the Centers for Disease Control and Prevention first identified SE in eggs as a public-health threat, the federal government has failed to develop an intelligent, effective plan to combat the problem. Instead, four competing government agencies have botched the job and failed to protect consumers. Those agencies have not fully implemented any of the common-sense programs needed to make eggs safer, such as a government-mandated on-farm quality assurance program that includes SE-testing and diversion of contaminated eggs, a mandatory expiration date for shell eggs, a ban on repacking and redating old eggs, the mandatory refrigeration of eggs throughout the food chain, and mandatory labels on egg cartons to alert consumers.

The goal we propose, the elimination of all SE illnesses from shell eggs and egg products by 2005, can be achieved if the federal government quickly develops a national egg-safety plan that includes all of the elements described above. But success also requires that responsibility for egg safety no longer be split haphazardly among competing federal agencies; instead, a single agency should administer a unified, comprehensive egg-safety plan.

We emphasize that a national egg-safety plan has little prospect for success unless it includes the most effective public-health measure available to regulators: an on-farm SE-monitoring and control program. Though temperature controls and labeling help prevent illnesses from contaminated eggs, on-farm monitoring and control programs would help prevent eggs from being infected with SE in the first place. As the successful Pennsylvania Egg Quality Assurance Program has shown, a well designed and closely monitored on-farm program can reduce SE contamination in egg-laying flocks and protect consumers of shell eggs.

In conclusion, we urge the Council to set as its overarching goal the elimination of SE illnesses from eggs and egg products by 2005. To achieve that reasonable objective, the Council should act swiftly to develop and implement a national egg-safety plan that includes all of the critical elements described above, especially mandatory on-farm monitoring and control programs. The federal government and the egg industry have the tools necessary to stop SE-contaminated eggs from reaching consumers; we should not have to wait any longer for those tools to be put to effective use.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Mitchell". The signature is fluid and cursive, with the first name "Darren" and last name "Mitchell" clearly distinguishable.

Darren Mitchell
Staff Attorney, Food Safety Program

On behalf of:

Consumer Federation of America

Government Accountability Project

HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION
CROSS REFERENCE SHEET

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CSPI

Center for
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1875 Connecticut Avenue, N.W. Suite 300

Washington D.C. 20006-5128



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